

## Constitutional Officers

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There are eight statewide Constitutional Officers: the Governor, Lieutenant Governor, Secretary of State, Attorney General, State Controller, State Treasurer, Insurance Commissioner and the State Superintendent of Public Instruction. These officers are all elected at the same time in a General Election and may be re-elected to a maximum of two four-year terms.

In the event of a vacancy in the office of the Governor, the Lieutenant Governor shall become Governor. In the event of a vacancy in both the offices of the Governor and the Lieutenant Governor, the succession order is as follows: first, the last duly elected President Pro Tempore of the Senate; second, the last duly elected Speaker of the Assembly; third, the Secretary of State; fourth, the Attorney General; fifth, the State Treasurer; and lastly, the State Controller.

### GOVERNOR

#### **Arnold Schwarzenegger**

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The supreme executive power of the State of California is vested in the Governor, whose duty it is to see that the law is faithfully executed.

The Governor is the Commander-in-Chief of this state's militia. The Governor is the official communicator among this state's government, the federal government, and other states of the United States. The Governor supervises the official conduct of all executive and ministerial officers, and the Governor sees that all offices are filled and their duties performed.

The Governor's appointment power extends over significant areas of state government. First, the Governor has authority to fill vacancies in the judiciary (i.e. Municipal, Superior, Appeals, and Supreme Courts), and to fill newly created judgeships. Second, the Governor has the power, subject to confirmation by the State Senate, to appoint a large number of positions throughout the executive department.

The Governor communicates, during each calendar year, with the Legislature regarding the condition of the state and makes recommendations. The Governor submits an itemized budget to the Legislature within the first 10 days of each year.

The Governor may veto any bill passed by the Legislature and return it, with his objections to the house of origin. The Governor may also reduce or eliminate one or more items of appropriation while approving other portions of a bill.

The Governor utilizes, in addition to immediate staff, a cabinet that is composed of the ten major state agency secretaries (i.e. State and Consumer Services; Business, Transportation and Housing; Environmental Protection; Education; Food and Agriculture; Health and Human Services; Labor and Workforce Development; Resources; Veterans Affairs; and the Youth and Adult Correctional Agency), plus the Director of Finance and Office of the Secretary for Education.

This group serves as the Governor's chief policy advisory body and, in their individual capacities, each implements and coordinates the Governor's policies throughout the state.

The Cabinet supplies the Governor with a comprehensive view and current resume of the state operations and serves as a source for long-range planning.

### LIEUTENANT GOVERNOR

#### **Cruz Bustamante**

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The Constitution provides that the Lieutenant Governor shall become Governor in the event of a vacancy. The Lieutenant Governor shall serve as acting Governor in the event of the Governor's absence from the state, temporary disability or impeachment. The Constitution also provides that the Lieutenant Governor shall be President of the Senate, but that he shall have only a casting vote. The purpose of a casting vote is to break a tie. The casting vote may be used only if it will provide the necessary majority required.

The Lieutenant Governor serves in an ex officio capacity as a voting member of the University of California's Board of Regents and as a voting member of the California State University's Board of Trustees. The Lieutenant Governor serves, and rotates with the State Controller, as chair on the three-member State Lands Commission. The Lieutenant Governor also chairs the California Commission for Economic Development and has been successful in creating a number of public-private partnerships with non-profit organizations to establish business forums throughout the world that promote trade opportunities for California companies and educational institutions. In addition, he serves as the vice chair of the Aerospace States Associations.

During his first term, Lieutenant Governor Bustamante chaired the Governor's Emergency Freeze Task Force and has served on the California Emergency Council. Following several hate-related incidents that occurred in 1999, he created the commission for One California. In the course of the Census of 2000, he also served as a Presidential Appointee on the U. S. Census Monitoring Board.

### SECRETARY OF STATE

**Bruce McPherson**

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The Secretary of State keeps the complete record of the official acts of the Legislature and Executive Departments of the state government. The Secretary of State is charged with the custody of the enrolled copy of the Constitution, all acts and resolutions passed by the Legislature, the Journals of each house, the Great Seal, and all books, records, deeds, parchments, maps and papers, kept or deposited in the office pursuant to law. The Secretary of State, as custodian of the public archives, maintains and properly equips safe and secure vaults for the preservation of the documents placed in his charge.

The Secretary of State is the chief elections officer of the state and has the responsibility of administering the provisions of the Elections Code. Foremost among these duties is preparing and publishing the Voter Information Guide. The Voter Information Guide contains a complete copy of the text of all measures submitted to the voters, a summary of the measures prepared by the Attorney General, an analysis of the measures prepared by the Legislative Analyst, arguments in support of the measures and rebuttals thereto, and the total vote on the measures in the Senate and Assembly if the measure was passed by the Legislature. The Secretary of State compiles the election returns and issues certificates of election to successful candidates.

The Secretary's office also serves as a repository for various registration forms, financial disclosure and expenditure reports which are required to be filed in accordance with the provisions of the Political Reform Act of 1974. These documents, which are submitted by candidates, elected officials, campaign organizations, political organizations, and by lobbyists and their employers, are available and open to public inspection. The majority of these filings are also available on the Internet. The Secretary of State also publishes the Lobbyist Directory.

The Secretary of State is responsible for processing various documents including Uniform Commercial Code financing statements, liens, trademarks, business entity documents, and other statutorily required special filings. Publicly traded corporations are required to file disclosure documents in the office; moreover, a fee that is collected from annual corporation statements are designated for the Victims of Corporate Fraud Compensation Fund that is administered in the office. The Secretary of State is responsible for appointing and commissioning notaries public and oaths of office for non-civil service officers and employees. The Domestic Partnership Registry is maintained in the office. The Secretary of State must affix the Great Seal, with his attestation, to commissions, pardons and other public documents that require the Governor's signature.

The Secretary of State provides the Safe at Home mail forwarding program for survivors of domestic violence, stalking victims, and providers, employees, volunteers or patients of a reproductive health care clinic.

### ATTORNEY GENERAL

**Bill Lockyer**

**DEPARTMENT OF JUSTICE**

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The Attorney General sees that state laws are uniformly and adequately enforced in every county. The Attorney General has direct supervision over every district attorney, sheriff, and other law enforcement officer as may be designated by law, in all matters pertaining to the duties of the respective offices.

The Attorney General is the head of the Department of Justice, and, as such, is the attorney in charge of all legal matters in which the state is interested, except the business of the Regents to the University of California or such other boards or officers as are authorized to employ their own attorneys.

The Attorney General also gives opinions on questions of law to designated state and local public officials on issues arising in the course of their duties. The Attorney General serves as legal adviser to all state departments, as well as other important state boards and commissions.

The Department of Justice coordinates efforts to address the statewide narcotics enforcement problem; assists local law enforcement in the investigation and analysis of crimes; provides person and property identification and information services to criminal justice agencies; supports the telecommunications and data processing needs of the California criminal justice community; and pursues projects designed to protect the people of California from fraudulent, unfair or illegal activities.

### STATE CONTROLLER

#### Steve Westly

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The State Controller is the chief financial officer of the state. The State Controller's primary duties are to: (1) provide sound fiscal control over both receipts and disbursements of public funds; (2) report periodically on the financial operations and condition of both state and local governments; (3) make certain money due to the state is collected through fair, equitable and effective tax administration; (4) provide fiscal guidance to local governments; (5) administer the Unclaimed Property and Property Tax Postponement Programs; and (6) develop and establish policy for a significant number of boards and commissions, including all major tax boards.

No money can be drawn from the Treasury unless it is against an appropriation made by law, and upon warrants duly drawn by the State Controller. The State Controller supervises the fiscal affairs of the state, suggests plans for the improvement and management of public revenues, keeps all accounts in which the state is interested, and keeps a separate account of each specific appropriation, showing at all times the balance of the appropriation.

The State Controller supervises the state's fiscal concerns and audits all claims against it. The State Controller directs the collections of all monies due the state, and if necessary, is authorized to go to court to recover the property or money owed. The State Controller has general supervision over the general procedure for tax sales, tax deeds, and redemptions, and makes necessary rules and regulations relating to fiscal affairs under his control.

### STATE TREASURER

#### Phil Angelides

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The State Treasurer is the state's banker, investor, and lead asset manager. The State Treasurer administers the State's Pooled Money Investment and Local Agency Investment Programs; provides the trust services for state-owned securities and safekeeping for state assets; administers the sale of state bonds; administers the clearing and accounting services of checks and warrants; finances a variety of public works such as those for schools and higher education facilities, transportation projects, parks, and environmental projects; chairs authorities that finance projects such as those for pollution clean-up, small businesses, and health care facilities; chairs the California Debt and Investment Advisory Commission, the Debt Limit Allocation Committee, and Tax Credit Allocation Committee; is a member of California Public Employees' Retirement System (CalPERS) and State Teachers' Retirement System (STRS) boards and the California Housing Finance Agency; oversees the Scholarshare Investment Board, which administers the state's tax-advantaged college tuition savings plan.

### INSURANCE COMMISSIONER

#### John Garamendi

#### DEPARTMENT OF INSURANCE

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Insurance is a \$106 billion-a-year industry in California. Overseeing the industry and protecting the State's insurance consumers are the primary responsibilities of the California Department of Insurance (CDI). The CDI regulates, investigates and audits insurance business to ensure that companies remain solvent and meet their obligations to insurance policyholders.

As administrator of the CDI, the Insurance Commissioner enforces the laws of the California Insurance Code and promulgates regulations to implement these laws.

The Insurance Commissioner issues certificates of authority to insurance and title companies seeking admittance into the California market; and licenses agents, brokers, solicitors and bail bond agents domiciled in the state.

CDI's statewide toll-free hotline serves as an information clearinghouse for consumers with insurance-related questions or problems. The unit, staffed by insurance experts, provides immediate assistance to callers whenever possible.

The CDI responds to thousands of consumer "Request for Assistance" complaints received each month. Acting on these requests, the Department protects consumers by investigating and prosecuting companies and licensees accused of insurance code violations, including fraud.

### STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

**Jack O'Connell**

#### CALIFORNIA DEPARTMENT OF EDUCATION

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The State Superintendent of Public Instruction is the only nonpartisan of the eight statewide constitutional officers in California. The Superintendent is accountable to the people of California for administering and enforcing education law and regulations, and for continuing to reform and improve public elementary and secondary school programs, adult education, and some preschool and child care programs.

The Superintendent is the executive officer and secretary of the State Board of Education and the director of the California Department of Education (CDE). CDE administers California's public education system at the state level. The Superintendent administers the day-to-day operation of CDE and also is responsible for two schools for the deaf, one school for the blind, and three diagnostic centers for neurologically disabled pupils.

In addition to serving as a University of California Regent, the Superintendent serves as an ex officio member of the California State University and the California Commission on Teacher Credentialing boards of trustees. The Superintendent also serves as an ex officio member or has representation on more than 100 boards, commissions, and committees established by the Department, the Legislature, or the Executive Branch.

### STATE BOARD OF EQUALIZATION

**Ramon J. Hirsig, Executive Director**

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Created in 1879 by a constitutional amendment, the Board of Equalization oversees the administration and collection of taxes and fees within the areas of sales and use taxes, property taxes, special taxes and the tax appellate program. These programs generate approximately \$30 billion in revenue for California's state and local governments.

The Board's four regional members are elected at the same time and in the same manner as the statewide constitutional officers. The fifth member is the State Controller, who serves in an ex-officio capacity.

#### **Betty T. Yee, District 1**

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#### **Bill Leonard, District 2**

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#### **John Chiang, District 4 — Chair**

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#### **Steve Westly, State Controller, Ex-Officio**

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